IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

WP(C).No. 23705 of 2007(V)

PETITIONER:

ABDULLA M.P.
MEETHALE KEEPODI HOUSE,
P.O., KEEZHUR REP. BY HIS POWER OF ATTORNEY HOLDER
RAMLA, W/O. ABDULLA M.P..,
MEETHALE KEEPODI HOUSE,
P.O. KEEZHUR.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:

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1. PAYYOLI GRAMA PANCHAYAT, PAYYOLI,
REP. BY ITS SECRETARY,

2. THE SECRETARY, PAYYOLI GRAMA PANCHAYAT,
PAYYOLI.

3. STATE OF KERALA, REP. BY CHIEF SECRETARY
SECRETARIAT, THIRUVANANTHAPURAM.

BY G.P. SRI. K.J.MOHAMMED ANZAR
BY ADV. SRI.C.VALSALAN
SRI.K.RAKESH ROSHAN
SMT.THUSHARA.V

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.23705/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE BUILDING PERMIT ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER DATED 24.1.2007

EXT.P2: COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT.

EXT.P3: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT DATED 27.4.2007

EXT.P4: COPY OF THE PERMISION TO TRANSPORT SAND, GIVEN BY THE PANCHAYAT DATED 28.6.2007

/TRUE COPY/

P.A. TO JUDGE.

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 23705 of 2007

Dated this the 3rd day of October, 2007

JUDGMENT

The learned Standing Counsel for the Panchayat seeks time to file counter affidavit. However, in the nature of the order which is being passed, it is not necessary that time is given to the Panchayat to file counter affidavit. I notice that one of the prayers sought for in the writ petition is that the Panchayat be directed to consider and take a decision on Ext.P3. I dispose of the writ petition issuing the following directions:

The 2nd respondent will take up Ext.P3 in the light of Ext.P2 notice, hear the petitioner and take a correct decision on Ext.P3 in the light of the various grounds raised in the writ petition. Decision as directed above shall be taken by the 2nd respondent at the earliest and at any rate within one month of receiving a copy of this judgment together with copy of this writ petition and all the exhibits.

PIUS C. KURIAKOSE,
JUDGE.

Dpk